

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

CESAR DAVID VELASQUEZ (37)

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CASE NO. 4:11CR6

ORDER FOR MENTAL HEALTH EXAMINATION

Upon this Court's review of the Competency Evaluation on file, as well as the testimony of Defendant's expert, the Court enters the following order for a Mental Health Examination of Defendant. Pursuant to United States Code, Section 4241, the Court enters the following Order:

IT IS ORDERED that the Defendant, Cesar David Velasquez, shall self surrender to the designated medical facility or forensic unit, where a mental health and physical examination of the Defendant shall be conducted pursuant to Title 18, United States Code Section 4241. The examining psychiatrist or psychologist shall then prepare a report to be filed with the Court pursuant to Title 18, United States Code Section 4247(c) directed at determining the mental condition of the Defendant. This report shall include an analysis of whether there is reasonable cause to believe the Defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

IT IS FURTHER ORDERED that the United States Marshal for the Eastern District of Texas, or his authorized representative, upon receipt of the facility designation, shall notify Defense counsel so arrangements can be made for self surrender to the designated

medical facility or forensic unit within 3 days of receipt of facility designation. Should defense counsel determine that Defendant's family is unable to transport Defendant to the designated facility or forensic unit, then Defendant shall, within 3 days of the receipt of the facility designation, surrender to the United States Marshal Service for the Eastern District of Texas, and be taken into custody for transport by the United States Marshal, who shall produce the Defendant to the designated medical facility or forensic unit, for examination and upon completion of said examination shall return the Defendant to this District, for further proceedings.

IT IS FURTHER ORDERED that the original written report of the psychiatrist or psychologist conducting the examination setting out his findings of the mental competency examination, be forwarded to Amos Mazzant, United States Magistrate Judge, 200 N. Travis Street, Mezzanine Level, Sherman, Texas 75090, and copies will be submitted by the Clerk as sealed documents to counsel of record for the Government and for the Defendant.

The Court further finds that any time of delay resulting from the examination shall be excludable time under the Speedy Trial Act as provided by Title 18, United States Code Section 3161(h)(1)(A).

SIGNED this 3rd day of January, 2012.


AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE